

Assembly Bill No. 2458

CHAPTER 818

An act to add Article 6 (commencing with Section 9795) to Chapter 7 of Part 1 of Division 2 of Title 2 of, and to repeal Section 11095 of, the Government Code, relating to state records.

[Approved by Governor September 22, 1996. Filed
with Secretary of State September 24, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2458, Figueroa. Reports to the Legislature.

Existing law requires various reports to be submitted to the Legislature by state and local agencies, and provides that reports by state agencies required to be submitted to the Legislature shall be required to be submitted only to specified offices of the Legislature.

Existing law requires copies of reports that state and local agencies are required or requested by law to prepare and file with the Governor or the Legislature, or both, to also be filed with the Legislative Counsel.

Existing law also requires the Legislative Counsel to make specified information concerning state laws and legislative publications available to the public by means of access by way of a public computer network.

This bill would provide that any report required or requested by law to be submitted to the members of either house of the Legislature, generally, shall instead be submitted to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly. The bill would require that each report include a summary of its contents, a copy of which would be provided to each member of the appropriate house or houses of the Legislature by the Legislative Counsel, and would require that notice of receipt of the report be recorded in the journal of the appropriate house or houses of the Legislature. It would require the Legislative Counsel, in addition to, and as part of, the information made available to the public in electronic form, as part of a public computer network, to make available a list of the reports submitted, and would specify that no report shall be distributed to a Member of the Legislature unless specifically requested by that Member.

The people of the State of California do enact as follows:

SECTION 1. Article 6 (commencing with Section 9795) is added to Chapter 7 of Part 1 of Division 2 of Title 2 of the Government Code, to read:

Article 6. Reports to the Legislature

9795. (a) (1) Any report required or requested by law to be submitted by a state or local agency to the members of either house of the Legislature generally, shall instead be submitted to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly. Each report shall include a summary of its contents, not to exceed one page in length, a copy of which shall be provided to each member of the appropriate house or houses of the Legislature by the Legislative Counsel within two working days of its receipt. Notice of receipt of the report shall also be recorded in the journal of the appropriate house or houses of the Legislature by the secretary or clerk of that house.

(2) In addition to and as part of the information made available to the public in electronic form pursuant to Section 10248, the Legislative Counsel shall make available a list of the reports submitted by state and local agencies, as specified in paragraph (1). If the Legislative Counsel receives a request from a member of the public for a report contained in the list, the Legislative Counsel is not required to provide a copy of the report and may refer the requester to the state or local agency, as the case may be, that authored the report.

(b) A state or local agency shall be deemed to have complied with paragraph (1) of subdivision (a) if the agency submits to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly each one hard copy of the report required or requested.

(c) This section shall not apply to reports required or requested by law to be directed to a committee or other specified entity within the Legislature.

(d) No report shall be distributed to a Member of the Legislature unless specifically requested by that member.

(e) Compliance with subdivision (a) shall be deemed to be full compliance with subdivision (c) of Section 10242.5.

(f) For purposes of this section, “report” includes any study or audit.

SEC. 2. Section 11095 of the Government Code is repealed.